

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	8:04CR167
v.)	
)	
JAMES ANDERSON,)	
)	MEMORANDUM AND ORDER
Defendant.)	
_____)	

Defendant Anderson's attorney has moved to withdraw from the case due to the defendant's inability to pay him. It appears to me that the case has reached the point where continuity of counsel is important, so I shall allow the attorney to withdraw as privately retained counsel, but shall appoint him under the Criminal Justice Act.

IT THEREFORE HEREBY IS ORDERED,

1. The motion to withdraw, filing 190, is granted in part and Mr. David Herzog is given leave to withdraw as defendant's privately retained counsel.

2. Mr. David Herzog, Esq. is appointed pursuant to 18 U.S.C. 3006A, et seq. to represent the defendant for the duration of the case, effective as of the filing of the motion to withdraw, July 11, 2005, through the filing of an appeal if so directed by the defendant.

DATED this 12th day of July, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge